

STATEMENT BY THE OBSERVER DELEGATION OF
THE REPUBLIC OF INDONESIA TO
THE 13TH SESSION OF THE WORKING GROUP IN INDIGENOUS POPULATIONS
GENEVA, 27 JULY, 1995

Madam Chairperson,

Let me first congratulate you upon your re-election as the Chairperson of this important Working Group and wish you every success in your endeavours. My congratulations also go to your other distinguished colleagues in the Working Group. I should also like to take this opportunity to express my sincere hope that Professor Alfonso Martinez will soon recover his health and be able to join the deliberation of the upcoming session of the Sub-Commission.

~~Since this is the first time my delegation takes the floor after the Working Group has its deliberations on several agenda items, I would like to ask your indulgence to allow a little latitude for my delegation to also speak on the previous agenda item.~~

Indonesia could not agree more with the Working Group that "the presence of a group claiming to be indigenous does not necessarily signify that it is accepted as such by members of the Working Group" (para 5 of E/CN.4/Sub.2/AC.4/1995/3). Such a crystal clear position of the Working Group which was reiterated by your opening statement will certainly secure the interest of genuine indigenous people or organizations against any attempts by "political entrepreneurs" who want to make use of their irrational sentiments for purposes of political gain.

Being a nation of more than 300 different ethnics who have lived in the archipelago for thousands years, Indonesia was established on the solid philosophical foundation of integralism and thus rejecting any form of alien concepts such as minority, majority and indigenous denomination. The people of Indonesia has fully exercised its rights to self determination back on 17 August 1945 when it proclaimed its independence from the colonial power and through a long and historic independence war. Thanks to the international support and recognition that the newly born state of Indonesia regained its territorial integrity and national sovereignty as she became legitimate member of the United nations in 1950. While we are celebrating the 50th

Anniversary of our independence, it is befitting to solemnly reaffirm our strong commitment to the maintenance of the principles of the UN Charter and full realization of its purposes. It is the full responsibility of the Government of Indonesia to further promote the basic rights of the people through appropriate and necessary national policies and measures in full conformity with the UN Charter and internationally accepted laws. Consequently, we shall never condone any ideas or acts poised by selfish political objectives to break up or disintegrate the united country for such things grossly violate the cardinal principles of the UN Charter.

The presence of several self-claimed indigenous groups with foreign nationalities which harbour such selfish political motivations and employ irresponsible means in this Working group is gravely deplorable. One of them is the so-called RMS or Republik Maluku Selatan who often disguises itself in other organizations like Mena Muria Foundation or Homeland Mission 1950. I trust that you and your distinguished colleagues have understood the nature of this organization.

Madam Chairperson,

Violence and the RMS appear to be synonymous. Back in August 1970, the RMS raided the residence of the Indonesian Ambassador and held the Ambassador's wife hostage for several days. When they finally surrendered, one police officer had been shot dead. In April 1974, the RMS burned down the Office of Garuda Indonesian Airways in Amsterdam. In December 1975, the RMS hijacked a train in Amsterdam and cold-bloodedly murdered the machinist, a Dutch soldier and a passenger. And as recent as April 25, 1995, an unruly and violence mass of RMS who were frustrated by their failure to raid the Indonesian Embassy destroyed almost everything in their sight in the surrounding area of the Embassy. Thirty people, including 11 police and 1 reporter, were wounded. 80 vehicles and residences in the vicinity were destroyed. Nearby stores were looted and a gas station was robbed.

It is indeed very unfortunate to witness that these hate-mongers and "political entrepreneurs" have been and are present in the Working Group. The hard work, sincere intention, and even the integrity of the Working Group, striving to advance the rights of genuine indigenous peoples could very well be jeopardized by their presence.

Madam Chairperson,

Another group present in this Working Group is the OPM or the "Organisasi Papua Merdeka" who, of course, disguises itself in many forms of self-made indigenous NGOs, which among other is the West Papua People's Front. The masterminds behind these NGOs are those who deny the Act of Free Choice by which the people of Irian Jaya decided to become an integral part of Indonesia. This act of referendum was endorsed by the United Nations in 1969 through General Assembly resolution 2504 (XXIV). By resorting to separatism, they have in fact conceive the destruction of that democratic and internationally endorsed process of decolonization. They are indeed the menace to the local people in the land as well as to the credibility of this highly important Working Group.

Madam Chairperson,

Another crucial aspect relating to our consideration is the effect of the recognition of certain rights to indigenous people vis a vis the basic foundation of international law, namely the territorial integrity of existing, sovereign States. The principle of self-determination is at present often invoked to challenge that integrity. Not less than the Secretary-General of the United Nations himself seriously ponders this phenomenon. In the document entitled An Agenda for Peace (paras 17 and 19), he states that "The United Nations has not closed its doors. Yet if every ethnic, religious or linguistic group claimed statehood, there would be no limit to fragmentation, and peace, security and economic well-being for all would ever become more difficult to achieve... . The Sovereignty, territorial integrity and independence of States within the established international system, and the principles of self-determination for peoples, both great value and importance, must not be permitted to work against each other in the period ahead."

Furthermore, it should be understood that there is indeed a clear-cut difference between the right to self determination and the right of self-determination. As one of the co-sponsors of the UNGA Resolution 1514/1960 on the Declaration on the Granting of Independence to Colonial Countries and Peoples and the UNGA Resolution 1541/1960, Indonesia very well ascertains that the right to self-determination is essentially a right to independence that is exercised once and for all. Many theories, including the Willsonian doctrine, consider such right as

the external self-determination. Meanwhile, the right of self-determination which many consider as the internal self-determination is essentially a right which is exercised on a regular basis within a sovereign State. Such right would include genuine and periodic election, the right to freely choose the type of government or economic system and so forth.

Finally, I would like to draw the attention of the Working Group to the rather similar situation with indigenous people, namely, the question of minorities, of which the Sub-Commission on Prevention of Discrimination and Protection of Minorities is mandated to deal with. As we all are aware, Mr. Asbjorn Eide has completed his report on minorities as contained in docs. E/CN.4/Sub.2/1993/34 and its addenda 1, 2, 3, 4 and E/CN.4/Sub.2/1994/36. In his report, he underlined the basis for action by the Sub-Commission on the question minorities. One of them is the respect for territorial integrity of existing, sovereign States. He specifically states that "It needs to be underlined that the right to self determination does not include a unilateral right to independence, or secession..." (para 24 of E/CN.4/Sub.2/1994/36).

Thank you Madam Chairperson.